IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 1237/1999

SUPERINTENDENT, S.M.S. HOSPITAL, JAIPUR
Vs.
GURUBUX & ANR.

Date: 18.12.2006.

HON'BLE MR. K.S. RATHORE, J.

Mr. D.D. Sharma, Dy. GA for the petitioner.

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This writ petition is directed against the impugned Award dated 08.06.94 passed by the Labour Court, Jaipur by which the termination order dated 27.07.87 passed against the respondent workman Santram has been quashed and set-aside and was reinstated back in service with all consequential benefits.

During pendency of the writ petition, the respondent workman died and his legal heirs are taken on record, therefore, the question of reinstatement does not arise.

Having gone through the impugned Award passed by the Labour Court, I find no illegality in the same. So far as reinstatement is concerned, since the respondent-workman Santram is no more and in view of the directions issued by the Labour Court regarding

reinstatement with all consequential benefits, the respondent workman is entitled to receive compensation from the date of his termination i.e. 27.07.87 till the date of passing of the impugned Award i.e. 08.06.94. Thus, the respondent-workman is entitled to receive lump sum compensation to the tune of Rs. 20,000/- (Rs. Twenty thousand only) and the petitioner is directed to make the payment of the compensation to the father of the respondent-workman Shri Gurubux as the widow of respondent workman Santram also expired, within a period of three months from the date of receipt of certified copy of this order, failing which the petitioner is liable to make the payment of compensation with interest @ 6% p.a. Till the actual payment is made.

With these observations, the writ petition stands partly allowed.

(K.S. RATHORE),J.

/KKC/